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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No. 239 of 2006

Date of decision: 15.10.2007

Gurcharan Lal ...Petitioner

Versus

Om Parkash and another ...Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr. Ajay Jain, Advocate for the petitioner.

Mr. B.R.Gupta, Advocate for respondent no.1

Mr. Madan Pal, Advocate for
Mr. Sanjiv Sheoran, Advocate for respondent no.2

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RAJESH BINDAL, J.

The challenge in the present petition is to the order passed by the Courts below whereby application filed by the petitioner/plaintiff for interim injunction was dismissed.

Briefly, the claim made by the petitioner/plaintiff in the suit filed by him is for possession by way of specific performance and also challenge to the sale deed of the suit property executed by respondent no.1 in favour of respondent no.2, which was earlier agreed upon to be sold by respondent no. 1 to the petitioner/plaintiff. At the time of issue of notice of motion, this Court restrained the defendants from alienating the suit property or raising any further construction in any manner. Still further this Court on March 29, 2007 directed the trial Court to expedite the hearing of the suit. It has been informed that in the suit, the entire evidence of the plaintiff has already been completed and it is the defendants' evidence which is going on. Keeping in view the fact that the trial of the suit is nearing completion and interim order granted by this Court is in force since

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March 23, 2006, which otherwise also is in the fitness of things keeping in view the fact that in case the property is alienated or nature of property is changed during the pendency of the suit, that will result in multiplicity of litigation.

Accordingly, in view of the facts and circumstances of the case, the trial Court is directed to complete the trial of the suit within six months from the date already fixed and the interim order passed by this Court on March 23, 2006 will continue till the disposal of the suit.

The revision petition is disposed of in the manner indicated above.

October 15, 2007 **(Rajesh Bindal)**
Pka **Judge**